IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2200 OF 2006
IN
WRIT PETITION NO. 1076 OF 2000

1. Shri Umakant Govind Nakhawa & Anr. .. Applicants.
(Org.Respondents)

V/s.

1. Padmanabh Acharya & Anr. .. Respondents.
(No.1-Petitioner in W.P)

Ms. Gauri Godse for the Applicants.

Mr. D.V.Pawar for the Respondents.

CORAM : S. A. BOBDE, J.

DATED : 08th AUGUST, 2007.

P.C. :-

. Heard. This is the Respondents' application for vacating the stay on the ground that the petitioner has stopped residing in the suit premises. In order to resolve the dispute, a report was called from a Commissioner who has inspected the premises. Accordingly, the Commissioner has submitted a report of his inspection dated 27.07.2007. It appears from the report that the petitioner is residing in the suit premises, having regard to the presence of the household articles and the usual articles for daily needs. Ms. Godse, the learned counsel for the respondents submitted

that the electricity bill show zero reading. The electricity bill, however, show that the meter is faulty and therefore, much reliance cannot be placed on it. In this view of the matter, the Commissioner's report is accepted and the respondents application for vacating stay is rejected. Civil application is disposed of accordingly.

2. Having regard to the condition of the house, the parties consent that the matter may be disposed of early. Add the writ petition to the final hearing board.

(S.A.BOBDE,J.)

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